

117TH CONGRESS
2D SESSION

H. R. 5721

AN ACT

To amend title 38, United States Code, to improve research conducted within the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “VA Infrastructure
3 Powers Exceptional Research Act of 2021” or the
4 “VIPER Act of 2021”.

5 **SEC. 2. INAPPLICABILITY OF PAPERWORK REDUCTION**
6 **ACT.**

7 (a) IN GENERAL.—Chapter 1 of title 38, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 120. Inapplicability of Paperwork Reduction Act**

11 “Subchapter I of chapter 35 of title 44, United States
12 Code (commonly known as the ‘Paperwork Reduction
13 Act’) shall not apply to research activities of the Depart-
14 ment, including activities under subchapter V of chapter
15 73.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by adding
18 at the end the following new item:

“120. Inapplicability of Paperwork Reduction Act.”.

19 **SEC. 3. RESEARCH AND DEVELOPMENT.**

20 (a) OFFICE OF RESEARCH AND DEVELOPMENT.—
21 Chapter 73 of title 38, United States Code, is amended
22 by adding at the end the following new subchapter:

1 “SUBCHAPTER V—RESEARCH AND
2 DEVELOPMENT

3 **“§ 7381. Office of Research and Development**

4 “(a) OFFICE OF RESEARCH AND DEVELOPMENT.—
5 There is in the Veterans Health Administration an Office
6 of Research and Development (in this section referred to
7 as the ‘Office’).

8 “(b) PURPOSES.—The function of the Office is to
9 serve veterans through a full spectrum of research (includ-
10 ing pre-clinical, clinical, and health systems science), tech-
11 nology transfer, and application.

12 “(c) CHIEF RESEARCH AND DEVELOPMENT OFFI-
13 CER.—The head of the Office is the Chief Research and
14 Development Officer.

15 “(d) ORGANIZATION AND PERSONNEL.—The Office
16 shall be organized in such manner, and its personnel shall
17 perform such duties and have such titles, as the Secretary
18 may prescribe.

19 **“§ 7382. Research personnel**

20 “(a) WAIVER OF INTERGOVERNMENTAL PERSONNEL
21 ACT MOBILITY PROGRAM LIMITS.—The Secretary may
22 waive the limit on the period and number of assignments
23 required under section 3372(a) of title 5 with respect to
24 an individual who performs research for the Department
25 under the mobility program under subchapter VI of chap-

ter 33 of such title (commonly referred to as the ‘Intergovernmental Personnel Act Mobility Program’).

“(b) OUTSIDE EARNED INCOME FOR RESEARCH FOR THE DEPARTMENT.—(1) Compensation from a nonprofit corporation established under subchapter IV of this chapter, or a university affiliated with the Department, may be paid, without regard to section 209 of title 18, to an employee described in paragraph (2), for research conducted pursuant to section 7303 of this title if—

“(A) the research has been approved in accordance with procedures prescribed by the Under Secretary for Health;

“(B) the employee conducts research under the supervision of personnel of the Department; and

“(C) the Secretary agreed to the terms of such compensation in writing.

“(2) An employee described in this subsection is an employee who has an appointment within the Department, whether with or without compensation, and without regard to the source of such compensation.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

“SUBCHAPTER V—RESEARCH AND DEVELOPMENT

“7381. Office of Research and Development.

“7382. Research personnel.”.

1 **SEC. 4. EXPANSION OF HIRING AUTHORITIES FOR CERTAIN**
2 **CLASSES OF RESEARCH OCCUPATIONS.**

3 Section 7401(3) of title 38, United States Code, is
4 amended by inserting “statisticians, economists,
5 informaticists, data scientists, and” after “blind rehabili-
6 tation outpatient specialists,”.

Passed the House of Representatives November 17,
2022.

Attest:

Clerk.

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